
	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		ASSISTANCE ID NO.			<b>DATE OF AWARD</b> 02/27/2008  <b>MAILING DATE</b> 02/27/2008  <b>ACH#</b> X0068	
			PRG	DOC ID	AMEND#		
			V -	96056501	- 1		
			TYPE OF ACTION No Cost Amendment				
PAYMENT METHOD:							
<b>RECIPIENT TYPE:</b> Indian Tribe			<b>Send Payment Request to:</b> Las Vegas Finance Center FAX # 702-798-2423				
<b>RECIPIENT:</b> Confederated Tribes and Bands of the Yakama Nation P.O. Box 151 Toppenish, WA 98948-0151 EIN: 91-0576806			<b>PAYEE:</b> Confederated Tribes and Bands of the Yakama Nation P.O. Box 151 Toppenish, WA 98948-0151				
<b>PROJECT MANAGER</b> Paul Ward P.O. Box 151 Toppenish, WA 98948-0151 E-Mail: ward@yakama.com Phone: (509) 865-5121ext. 6363		<b>EPA PROJECT OFFICER</b> Christopher Cora 1200 Sixth Avenue, Suite 900, ECL-115 Seattle, WA 98101 E-Mail: Cora.Christopher@epamail.epa.gov Phone: 206-553-1478		<b>EPA GRANT SPECIALIST</b> Bob Phillips Grants Administration, OMP-145 E-Mail: Phillips.Bob@epa.gov Phone: 206-553-6367			
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Yakama Indian Nation - Harbor Oil SACA This amendment removes the administrative high-risk term and condition, and replaces it with the standard payment instructions (see administrative term and condition #1). All terms and conditions are provided with this amendment.							
<b>BUDGET PERIOD</b> 12/21/2006 - 09/30/2008		<b>PROJECT PERIOD</b> 12/21/2006 - 09/30/2008		<b>TOTAL BUDGET PERIOD COST</b> \$30,000.00		<b>TOTAL PROJECT PERIOD COST</b> \$30,000.00	
<b>NOTICE OF AWARD</b>  Based on your application dated 06/05/2007, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$30,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.							
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>				<b>AWARD APPROVAL OFFICE</b>			
<b>ORGANIZATION / ADDRESS</b> EPA Region 10 Mail Code: OMP-145 1200 Sixth Avenue, Suite 900 Seattle, WA 98101				<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 10 Office of Environmental Cleanup 1200 Sixth Avenue Seattle, WA 98101			
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>							
<b>SIGNATURE OF AWARD OFFICIAL</b> Digital signature applied by EPA Award Official		<b>TYPED NAME AND TITLE</b> Bob Phillips, EPA Grants Specialist			<b>DATE</b> 02/27/2008		
<b>AFFIRMATION OF AWARD</b>							
<b>BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION</b>							
<b>SIGNATURE</b> 		<b>TYPED NAME AND TITLE</b> Ralph Sampson, Jr., Chairman			<b>DATE</b> 3-5-08		

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# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

### ASSISTANCE ID NO.

PRG	DOC ID	AMEND#
V -	96056501	- 1

DATE OF AWARD  
02/27/2008

TYPE OF ACTION  
No Cost Amendment

MAILING DATE  
02/27/2008

PAYMENT METHOD:

ACH#  
X0068

RECIPIENT TYPE:  
Indian Tribe

Send Payment Request to:  
Las Vegas Finance Center  
FAX # 702-798-2423

### RECIPIENT:

Confederated Tribes and Bands of the Yakama Nation  
P.O. Box 151  
Toppenish, WA 98948-0151  
EIN: 91-0576806

### PAYEE:

Confederated Tribes and Bands of the Yakama Nation  
P.O. Box 151  
Toppenish, WA 98948-0151

### PROJECT MANAGER

Paul Ward  
P.O. Box 151  
Toppenish, WA 98948-0151  
E-Mail: ward@yakama.com  
Phone: (509) 865-5121 ext. 6363

### EPA PROJECT OFFICER

Christopher Cora  
1200 Sixth Avenue, Suite 900, ECL-115  
Seattle, WA 98101  
E-Mail: Cora.Christopher@epamail.epa.gov  
Phone: 206-553-1478

### EPA GRANT SPECIALIST

Bob Phillips  
Grants Administration, OMP-145  
E-Mail: Phillips.Bob@epa.gov  
Phone: 206-553-6367

### PROJECT TITLE AND EXPLANATION OF CHANGES

Yakama Indian Nation - Harbor Oil SACA

This amendment removes the administrative high-risk term and condition, and replaces it with the standard payment instructions (see administrative term and condition #1). All terms and conditions are provided with this amendment.

### BUDGET PERIOD

12/21/2006 - 09/30/2008

### PROJECT PERIOD

12/21/2006 - 09/30/2008

### TOTAL BUDGET PERIOD COST

\$30,000.00

### TOTAL PROJECT PERIOD COST

\$30,000.00

## NOTICE OF AWARD

Based on your application dated 06/05/2007, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$30,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.

### ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

#### ORGANIZATION / ADDRESS

EPA Region 10  
Mail Code: OMP-145  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101

### AWARD APPROVAL OFFICE

#### ORGANIZATION / ADDRESS

U.S. EPA, Region 10  
Office of Environmental Cleanup  
1200 Sixth Avenue  
Seattle, WA 98101

### THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

#### SIGNATURE OF AWARD OFFICIAL

Digital signature applied by EPA Award Official

#### TYPED NAME AND TITLE

Bob Phillips, EPA Grants Specialist

#### DATE

02/27/2008

## AFFIRMATION OF AWARD

### BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

#### SIGNATURE

#### TYPED NAME AND TITLE

Ms. Lavina Washines, Chairwoman, Yakama Nation Tribal Council

#### DATE

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Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$7,031
<b>2. Fringe Benefits</b>	\$1,547
<b>3. Travel</b>	\$1,200
<b>4. Equipment</b>	\$0
<b>5. Supplies</b>	\$150
<b>6. Contractual</b>	\$19,450
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$622
<b>9. Total Direct Charges</b>	\$30,000
<b>10. Indirect Costs: % Base</b>	\$0
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	\$30,000
<b>12. Total Approved Assistance Amount</b>	\$30,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$0
<b>15. Total EPA Amount Awarded To Date</b>	\$30,000

## **Administrative Conditions**

### **1. Payment Information - Revised for this Amendment.**

All recipients must be enrolled to receive funds electronically via the EPA-EFT Payment Process. This electronic funds transfer process was initiated by EPA in response to the Debt Collection Improvement Act of 1996, P.L. 104-134 that requires all federal payments be made via Direct Deposit/Electronic Funds Transfer(DD/EFT). By signing the assistance agreement you are agreeing to receive payment electronically.

**In order to receive payments electronically, the ACH Vendor/ Miscellaneous Payment Enrollment Form (SF3881) must be completed and faxed to Marge Pumphrey at (702) 798-2423.**

After reviewing and processing the SF3881, the Las Vegas Finance Center (LVFC) will send you a letter assigning you an EFT Control Number, an EPA-EFT Recipient's Manual, and the necessary forms for requesting funds and reporting purposes.

If you need further assistance regarding enrollment, please contact Marge Pumphrey at (702) 798-2492 or by e-mail to: [pumphrey.margaret@epa.gov](mailto:pumphrey.margaret@epa.gov).

**Any recipient currently using the Automated Standard Application for Payments (ASAP) system with another government agency should contact Marge Pumphrey at (702) 798-2492 or e-mail to: [pumphrey.margaret@epa.gov](mailto:pumphrey.margaret@epa.gov).**

Under any of the above payment mechanisms, recipients may request/draw down advances for their immediate cash needs, provided the recipient meets the requirements of 40 CFR 30.22(b) or 40 CFR 31.21(c), as applicable. Additionally, recipients must liquidate all obligations incurred within 90 calendar days of the project period end date. Therefore, recipients must submit the final request for payment, and refund to EPA any balance of unobligated cash advanced within 90 calendar days after the end of the project period.

### **2. Cost Principles/Indirect Costs Not Included (All Organizations)**

The cost principles of OMB Circular A-21, "Cost Principles for Educational Institutions," relocated to 2 CFR Part 220, OMB Circular A-87, "State, Local or Indian Tribal Governments," relocated to 2 CFR Part 225, or OMB Circular A-122, "Cost Principles for Non-Profit Organizations," relocated to 2 CFR Part 230, are applicable, as appropriate, to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

### **3. Financial Status Report (FSR) and Federal Cash Transactions Reports**

#### **FINAL FSR**

The Financial Status Report (FSR), Standard Form 269A (or Standard Form 269 if program income is generated), for this award is due to EPA no later than 90 days after the budget period expires.

For agreements with multiple budget activities, separate FSRs must be provided for each of the activities, sites, or budgets, as applicable.

#### **FEDERAL CASH TRANSACTIONS REPORTS**

The recipient will provide timely reporting of cash disbursements and balances through annual submission (within fifteen (15) working days following December 31 of any given calendar year) of a Federal Cash Transactions Report (SF-272).

**The Final FSR and Federal Cash Transactions Reports may be faxed to (702) 798-2423 or mailed to:**

US Environmental Protection Agency  
Las Vegas Finance Center

For additional information, please contact Marge Pumphrey at (702) 798-2492 or email: [Pumphrey.Margaret@epa.gov](mailto:Pumphrey.Margaret@epa.gov).

EPA may take enforcement actions in accordance with 40 CFR 30.62 or 40 CFR 31.43 if the recipient does not comply with this term and condition.

#### **4. Audit Requirements**

The recipient agrees to comply with the requirements of OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

#### **5. Hotel-Motel Fire Safety Act**

Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

#### **6. Recycled Paper**

##### **ALL APPLICANTS:**

In accordance with EPA Order 1000.25 and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. Please note that Section 901 of E.O. 13101, dated September 14, 1998, revoked E.O. 12873, *Federal Acquisition, Recycling, and Waste Prevention* in its entirety.

##### **STATE AGENCIES AND POLITICAL SUBDIVISIONS:**

Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

##### **STATE AND LOCAL INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND NON-PROFIT ORGANIZATIONS:**

Pursuant to 40 CFR 30.16, State and local institutions of higher education, hospitals, and non-profit organizations that receive direct Federal funds shall give preference in their procurement programs funded with Federal funds to the purchase of recycled products pursuant to EPA's guidelines.

#### **7. Lobbying**

##### **ALL RECIPIENTS:**

The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

##### **PART 30 RECIPIENTS:**

All contracts awarded by a recipient shall contain, when applicable, the anti-lobbying provision as

stipulated in the Appendix at Title 40 CFR Part 30.

Pursuant to Section 18 of the Lobbying Disclosure Act, the recipient affirms that it is not a nonprofit organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or that it is a nonprofit organization described in Section 501(c)(4) of the Code but does not and will not engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act.

## **8. Lobbying and Litigation**

### **ALL RECIPIENTS:**

Pursuant to EPA's annual Appropriations Act, the chief executive officer of this recipient agency shall require that no grant funds have been used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. As mandated by this Act, the recipient agrees to provide certification to the award official via EPA Form 5700-53, *Lobbying and Litigation Certificate*, within 90 days after the end of project period.

Recipient shall abide by its respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States. Any Part 30 recipient shall abide by its respective OMB Circular (A-21 or A-122), which prohibits the use of Federal grant funds to participate in various forms of lobbying or other political activities.

**Certification (EPA Form 5700-53) must be submitted to the EPA Region 10, Grants Administration Unit, 1200 Sixth Avenue, Suite 900, Mailcode: OMP-145, Seattle, WA 98101.**

## **9. Suspension and Debarment**

Recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." Recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at [www.epis.gov](http://www.epis.gov). This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

## **10. Drug-Free Workplace Certification for all EPA Recipients**

The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at [http://www.access.gpo.gov/nara/cfr/waisidx\\_06/40cfr36\\_06.html](http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html).

## **11. Management Fees**

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.



## **12. Small and Disadvantaged Business Utilization Requirements (Indian Tribes)**

The recipient agrees to follow the six affirmative steps stated in 40 CFR 31.36(e), 35.3145(d) or 35.6580, as appropriate, and to require its prime contractor to follow these affirmative steps if it awards subcontracts; the recipient also agrees to retain records documenting compliance.

The six affirmative steps contained in 40 CFR 31.36(e) are as follows:

- (a) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (b) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (c) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (d) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- (e) Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- (f) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

The recipient agrees to submit an EPA form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" as follows:

For grants awarded under 40 CFR Part 35, Subpart B (refer to the Regulatory Authority box shown in the middle of Page 2 of the Assistance Agreement/Amendment), reports are due annually by October 30 of each year (covers the Federal Fiscal Year October 1 - September 30).

Grants awarded under any other Regulatory Authority are due Quarterly. These reports are due beginning with the Federal Fiscal Year quarter the recipient receives the award and continuing until the project period ends. These reports must be submitted within 30 days of the end of the Federal Fiscal Quarter (due dates are January 30, April 30, July 30, and October 30).

**All reports must be submitted to the EPA Region 10, Grants Administration, 1200 Sixth Avenue, Suite 900, Mailcode: OMP-145, Seattle, WA 98101.** For further information, please contact Greg Luchey at (206) 553-2967, email: [Greg.Luchey@epa.gov](mailto:Greg.Luchey@epa.gov).

In accordance with Section 129 of Public Law 100-590, the Small Business Administration and Reauthorization and Amendment Act of 1988, the recipient agrees to utilize and to encourage any prime contractors under the assistance agreement to utilize small businesses located in rural areas to the maximum extent possible through the use of the six affirmative steps.

EPA may take corrective action under 40 CFR Parts 30, 31, and 35, as appropriate, if the recipient fails to comply with these term and conditions.

## **13. Payment to Consultants**

EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2007, the limit is \$557.28 per day \$69.66 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provided the recipient with responsibility for the selection, direction, and control of the individuals who will be



providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 30.27(b) or 40 CFR 31.36(j), as applicable, for additional information.

**NOTE:** For future years' limits, the recipient may find the annual salary for Level IV of the Executive Schedule on the following Internet site: <http://www.opm.gov/oca>. Select "Salary and Wages", and select "Executive Schedule". The annual salary is divided by 2087 hours to determine the maximum hourly rate, which is then multiplied by 8 to determine the maximum daily rate.

## **Programmatic Conditions**

### **1. Quarterly Performance Reports**

The recipient shall submit quarterly performance reports, which are due 30 calendar days after the end of each Federal fiscal quarter. (Federal fiscal quarters end the last day of March, June, September, and December.) Reports shall be submitted to the EPA Project Officer and may be provided electronically.

In accordance with 40 CFR Part 35.6650, as appropriate, the recipient agrees to submit performance reports that include brief information on each of the following areas:

(a) an explanation of work accomplished during the reporting period, delays, or other problems, if any, and a description of the corrective measures that are planned. For pre-remedial Cooperative Agreements, the report must include a list of the site-specific products completed and the estimated number of technical hours spent to complete each product.

(b) a comparison of the percentage of the project completed to the project schedule, and an explanation of significant discrepancies.

(c) a comparison of the estimated funds spent to date to planned expenditures and an explanation of significant discrepancies. For remedial, enforcement, and removal reports, the comparison must be on a per task basis.

(d) an estimated of the time and funds needed to complete the work required in the Cooperative Agreement, a comparison of that estimate to the time and funds remaining, and a justification for any increase.

In addition to the quarterly performance reports, the recipient shall immediately notify the EPA Project Officer of developments that have a significant impact on the award-supported activities. In accordance with 40 CFR Part 35.6655, as appropriate, the recipient agrees to inform the EPA Project Officer as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan. This notification shall include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.

### **2. Final Performance Report**

In addition to the periodic performance reports, the recipient shall submit a final performance report, which is due 90 calendar days after the expiration or termination of the award. The report shall be submitted to the EPA Project Officer and may be provided electronically. The report shall generally contain the same information as in the periodic reports, but should cover the entire project period. If inappropriate, the EPA Project Officer may waive the requirement for a final performance report after completion of the project.

### **3. Revisions to the Site Budgets (ONLY apply to multiple Sites funded)**

Each site has a separate budget. To move costs between site budgets (i.e. from X to Y), the recipient must formally request that the budgets be changed and provide revised budgets for both sites and revised scope of work if required. This revision must be approved via amendment to this agreement.

### **4. Work Plan**

Work under this agreement should be completed in accordance with the approved work plans submitted with the applications dated June 5, 2007; revised August 6, 2007).

### **5. EPA will be substantially involved in this project by providing oversight with the Remedial**

**Investigation/Feasibility Study (R/FS) by participating in the following activities:**

- a. approving data reports
- b. providing comments on Potentially Responsible Party (PRP) submittals
- c. approving PRP submittals after comments have been addressed.